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8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11  
12 In the Matter of the Accusation Against:

Case No. **2011-160**

13 **JAMIE NICHOLE TOTTEN**  
14 **aka JAMIE TOTTEN**  
15 **3600 Barham Blvd., Building L Apt. 103**  
**Los Angeles, CA 90068**

**ACCUSATION**

16 **3714 Plum Street**  
**Terre Haute, Indiana 47803**

17 **Registered Nurse License No. 692596**

18 Respondent.

19  
20 Complainant alleges:

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
23 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
24 of Consumer Affairs.

25 2. On or about November 16, 2006, the Board of Registered Nursing issued Registered  
26 Nurse License Number 692596 to Jamie Nichole Totten, aka Jamie Totten ("Respondent"). The  
27 Registered Nurse License was in full force and effect at all times relevant to the charges brought  
28 herein and will expire on October 31, 2010, unless renewed.

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1       "(b) Use any controlled substance as defined in Division 10 (commencing with Section  
2 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in  
3 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to  
4 himself or herself, any other person, or the public or to the extent that such use impairs his or her  
5 ability to conduct with safety to the public the practice authorized by his or her license."

6       8.     Code section 4060 states, in pertinent part:

7  
8       No person shall possess any controlled substance, except that furnished to a person  
9 upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or  
10 naturopathic doctor pursuant to Section 3640.7, or furnished pursuant to a drug order  
11 issued by a certified nurse-midwife pursuant to Section 2746.51, a nurse practitioner  
pursuant to Section 2836.1, a physician assistant pursuant to Section 3502.1, a  
naturopathic doctor pursuant to Section 3640.5, or a pharmacist pursuant to either  
subparagraph (D) of paragraph (4) of, or clause (iv) of subparagraph (A) of paragraph  
(5) of, subdivision (a) of Section 4052 . . .

12       9.     Health and Safety Code section 11170 states that no person shall prescribe,  
13 administer, or furnish a controlled substance for herself.

14       10.    Health and Safety Code section 11173, subdivision (a), states, in pertinent part, that  
15 "[n]o person shall obtain or attempt to obtain controlled substances, or procure or attempt to  
16 procure the administration of or prescription for controlled substances, (1) by fraud, deceit,  
17 misrepresentation, or subterfuge . . ."

18               CONTROLLED SUBSTANCES AND DANGEROUS DRUGS AT ISSUE

19       11.    "Methamphetamine" is a Schedule II controlled substance as designated by Health  
20 and Safety Code section 11055, subdivision (d)(2).

21               COST RECOVERY

22       12.    Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
23 administrative law judge to direct a licensee found to have committed a violation or violations of  
24 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
25 enforcement of the case.

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1           2.     Ordering Jamie Nichole Totten, aka Jamie Totten to pay the Board of Registered  
2     Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to  
3     Business and Professions Code section 125.3.

4           3.     Taking such other and further action as deemed necessary and proper.

5     DATED: \_\_\_\_\_

8/30/10

*Louise R. Bailey*

LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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